

REMARKS/ARGUMENTS

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided, the acknowledgment of Applicant's Information Disclosure Statements filed in the present application by the return of the initialed and signed PTO-1449 forms and the Examiner's acknowledgment of Applicant's claim for priority and receipt of the certified copies of the priority documents in the Official Action. Upon entry of the present paper, claims 25-33 will have been added, and claims 1-33 will remain pending. Applicant notes that newly-added claims 25-33 generally respectively correspond to original claims 1-4 and 7-11, and further recite a digital camera having, *inter alia*, a body. In view of the above, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of all the claims pending in the present application. Such action is respectfully requested and is now believed to be appropriate.

Turning to the merits of the action, the Examiner has rejected claims 1-6, 8, 10-15 and 17-24 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,711,349 to DiRisio. As discussed *supra*, Applicant submits herewith a verified translation of the two priority documents (having respective Japanese priority filing dates of August 27, 2002 and February 3, 2003, which are before the filing date of May 29, 2003 of DiRisio), thereby perfecting priority of the present application under 35 U.S.C. § 119 and removing DiRisio as a reference. It is therefore respectfully requested that the Examiner withdraw this rejection.

The Examiner has rejected claims 1-24 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication US 2001-0019458 to NOMURA et al. (commonly-assigned to Applicant's

Assignee), finding that this reference teaches all limitations of these claims.

As discussed *supra*, Applicant respectfully traverses the Examiner's rejection. Applicant submits that NOMURA, as well as the other references of record, are markedly different from the present claimed invention. Specifically, as discussed *supra*, NOMURA fails to teach or suggest at least the claimed features wherein: a support ring supports an imaging component (with respect to independent claims 1, 12, 19 and newly-added claim 25); one of opposite ends of said cam groove having an open end such that a portion of said cam groove including said open end serves as said standby section (with respect to independent claim 12); and one of opposite ends of said cam groove having an open end such that said cam follower is disengaged from said cam groove through said open end when said linearly movable ring is positioned in said standby position (with respect to independent claim 19).

Rather, in NOMURA, the “support ring” (cam barrel 18) does not support an imaging component but rather merely supports the barrier block 27. In other words, removal of the cam barrel 18 would result in the imaging components being supported by the other elements in the same manner had the cam barrel not been removed. Also, with respect to independent claim 12, a closed end of a cam groove serves as a standby section of NOMURA. With respect to independent claim 19, a cam follower is never disengaged from a cam groove during operation of the camera of NOMURA.

It is therefore respectfully submitted that NOMURA, as well as the other references of record, fails to teach or suggest the invention of independent claims 1, 12, 19 (or of newly-added

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independent claim 25), as well as the claims dependent therefrom.

With respect to the Examiner's rejection of dependent claims 2-11, 13-18 and 20-24 (and newly added dependent claims 26-33), since these claims are dependent from an allowable independent claim, which are allowable for at least the reasons discussed supra, these dependent claims are also allowable for at least these reasons. Further, all dependent claims (including newly-added dependent claims 26-33) recite additional features which further define the present invention over the references of record. It is thus respectfully submitted that all rejected claims are patentably distinct from the references of record.

Absent a disclosure in a single reference of each and every element recited in a claim, a prima facie case of anticipation cannot be made under 35 U.S.C. § 102. Since the applied reference fails to disclose each and every element recited in independent claims 1, 12 and 19, and the claims dependent therefrom, these claims are not anticipated thereby. Accordingly, the Examiner is respectfully requested to withdraw the rejection under 35 U.S.C. § 102.

Thus, Applicant respectfully submits that each and every pending claim of the present application meets the requirements for patentability under 35 U.S.C. § 102, and respectfully requests the Examiner to indicate the allowance of each and every pending claim in the present application.

SUMMARY AND CONCLUSION

In view of the foregoing, it is submitted that the present paper is in proper form and that none of the references either taken together or taken alone in any proper combination thereof, anticipates or renders obvious Applicant's invention. Accordingly, consideration of the present Response, reconsideration of the outstanding Official Action and allowance of the present application and all of the claims therein are respectfully requested and are now believed to be appropriate.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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